

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Case No.: CV-07-80171 - MISC.

NATIONAL LABOR RELATIONS BOARD

Applicant,

v.

MAURICE SMOTHERS

Respondent.

STIPULATION TO CONTINUE
HEARING

Applicant, National Labor Relations Board (the Board), and Respondent, Maurice Smothers, all parties to the above-entitled proceeding, hereby stipulate that the hearing set to be heard before Magistrate Judge Wayne D. Brazil on August 1, 2007 at 1:30 p.m. on an Order to Show Cause issued on June 29, 2007, be continued to August 29, 2007 at 3 p.m.

Respondent has not filed an answer or opposed Petitioner's Application for an order requiring Respondent to appear before the Board. In an attempt to resolve these matters, Respondent has advised Petitioner that he will now comply with Petitioner's subpoena ad testificandum, and has scheduled to provide testimony to the Board on August 31, 2007. Immediately following that testimony, the parties will advise the Court as to whether the hearing on August 29, 2007 will be necessary.

It so stipulated.


Michelle M. Smith
ATTORNEY FOR APPLICANT

DATED: 7/20/07


Gregg J. Tucek
ATTORNEY FOR RESPONDENT

DATED: 7/20/07

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

Wayne D. Brazil
United States Magistrate Judge